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TELEFAX COVER SHEET

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TO: Commissioner for Patents

FAX NO.: 703-746-4000

FROM: Alan Taboada, Esq.

DATE: March 18, 2005

MATTER: Serial No. 10/014,466 Filed: December 11, 2001

DOCKET NO.: 5926P01 USA/PDC/OSI/BG

APPLICANT: Samoilov, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition
☐ Disclosure Statement & PTO-1449
☐ Priority Document
☐ Drawings (sheets) informal
☐ Amendment
☒ Substance of the Interview (2 pages)

☐ Transmittal Letter (2 copies)
☐ Fee Transmittal (2 copies)
☐ Deposit Account Transaction
☒ Facsimile Transmission Certificate
dated March 18, 2005

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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Allyson M. DeVesty
Name of person signing this certificate

Allyson M. DeVesty
Signature and date

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SUBSTANCE OF THE INTERVIEW
Serial No. 10/014,466
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Samoilov, et al.**

Serial No.: **10/014,466**

Confirmation No.: **4575**

Docket No.: **5926P01 USA/PDC/OSI/BG**

Filed: **December 11, 2001**

For: **Waveguides Such as SiGeC**
Waveguides and Method of
Fabricating the Same

Group Art Unit: **1765**

Examiner: **Robert M. Kunemund**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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3-18-05
Date

Allyson M. DeVetty
Signature

SUBSTANCE OF THE INTERVIEW

In response to the Interview Summary mailed March 7, 2005, having a period for response set to expire on April 7, 2005, the Applicants submit the following statement regarding the substance of the interview.

- A) No exhibits or demonstrations were conducted.
- B) No claims were discussed.
- C) No prior art was discussed.
- D) As indicated by Examiner Nadine Norton in the Interview summary, the second notice of allowance is vacated. The post allowance communication containing the Examiner's amendment previously attached to the second notice of allowance was mailed along with the Examiner's interview summary. The Examiner's amendment amends claim 78 to correct dependency from claim 56 to claim 76. The Applicants agree with the Examiner's amendment. Examiner Norton further explained that,

SUBSTANCE OF THE INTERVIEW

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because the second notice of allowance is now vacated, the \$70 issue fee indicated on the second notice of allowance is no longer applicable.

E) No other pertinent matters were discussed.

F) During the telephone interview of March 2, 2005, the Examiner indicated that the second notice of allowance would be vacated and a post allowance communication entered with the Examiner's amendment originally contained in the second notice of allowance, as indicated in the Interview Summary appended to the post allowance communication mailed March 7, 2005. The Examiner also explained that because the second notice of allowance is vacated, the \$70 issue fee indicated on the second notice of allowance is no longer due and the patent term extension will be recalculated upon publication of the patent as if the second notice of allowance was never issued.

Although Applicants believe that no fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782, for any other fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Thus, Applicants submit that the application is in condition for issuance. Accordingly, the Applicants respectfully request entry of this paper and swift passage to issue of this application.

If, however, the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone the undersigned so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

March 18, 2005



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